

RESOLUTION NO. 2011-46

A RESOLUTION OF THE LODI CITY COUNCIL REJECTING
PROTEST, AUTHORIZING THE CITY MANAGER TO
EXECUTE CONTRACT FOR THE G-BASIN (DEBENEDETTI
PARK) STORMWATER PUMPING STATION PROJECT AND
NEGOTIATE PROFESSIONAL SERVICES AGREEMENT TO
PROVIDE CONSTRUCTION TESTING AND INSPECTION
SERVICES FOR G-BASIN STORM DRAIN RELATED
PROJECTS AND FURTHER APPROPRIATING FUNDS

=====

WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on March 21, 2011, at 11:00 a.m., for the G-Basin (DeBenedetti Park) Stormwater Pumping Station Project described in the plans and specifications therefore approved by the City Council on February 16, 2011; and

WHEREAS, said bids have been checked and tabulated and a report thereof filed with the City Manager as follows:

Bidder	Bid
F & H Construction	\$1,746,000.00
MCI Engineering	\$1,751,800.00
Vinciguerra Construction	\$1,760,000.00 *
Conco-West, Inc.	\$1,796,000.00
Teichert Construction	\$1,816,050.00
Ariza Construction	\$1,975,000.00
Diede Construction	\$1,992,115.00
Tidelands Construction	\$2,019,500.00
JJM Engineering	\$2,033,335.00
GSE Construction	\$2,071,500.00
McGuire & Hester	\$2,081,000.00
Andrew L. Lee, Inc.	\$2,131,000.00
J R Filanc Construction	\$2,165,684.00
TTS Construction	\$2,174,665.00 *
Manito Construction	\$2,414,690.00

* Corrected Total

WHEREAS, the second low bidder, MCI Engineering, protests the award of the contract to the low bidder, F & H Construction, contending that F & H failed to list subcontractors to perform 1) the site grading excavation and site preparation work and 2) the System Integration work as required by the Subletting and Subcontracting Fair Practices Act ("Listing Law"). MCI contends that F & H cannot perform the work and that, therefore, F & H's bid must be rejected as non-responsive; and

WHEREAS, F & H is in fact licensed to perform earthwork as a General Engineering Contractor and has performed earthwork and site preparation on past projects for the City of Lodi; and

WHEREAS, F & H's bid does in fact list an Integration System supplier (Telstar) and an installer (Bockmon and Woody); and

WHEREAS, staff recommends that City Council deny MCI's bid protest; and

WHEREAS, staff recommends awarding the contract for the G-Basin (DeBenedetti Park) Stormwater Pumping Station Project to the low bidder, F & H Construction, of Stockton, California, in the amount of \$1,746,000; and

WHEREAS, staff recommends authorizing the City Manager to negotiate a professional services agreement with Neil O. Anderson, of Lodi, California, to provide construction testing and inspection services for G-Basin storm drain related projects.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby reject the bid protest of MCI Engineering, of Stockton, California; and

BE IT FURTHER RESOLVED that the Lodi City Council does hereby authorize the City Manager to execute the contract for the G-Basin (DeBenedetti Park) Stormwater Pumping Station Project with the low bidder, F & H Construction, of Stockton, California, in the amount of \$1,746,000; and

BE IT FURTHER RESOLVED that the Lodi City Council does hereby authorize the City Manager to negotiate a professional services agreement with Neil O. Anderson & Associates, of Lodi, California, to provide construction testing and inspection services for G-Basin storm drain related projects in an amount not to exceed \$35,000; and

BE IT FURTHER RESOLVED that funds in the amount of \$2,100,000 be appropriated from the Storm Drainage Impact Mitigation Fund for this project.

Dated: April 6, 2011

=====


I hereby certify that Resolution No. 2011-46 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 6, 2011, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Katzakian, Mounce, Nakanishi,
and Mayor Johnson

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk